

REMARKS

Claims 12, 20, 23, 28-34, 47, 52, 53, 57-63, 80-82, and 90-247 are pending in the above-captioned patent application after this amendment. Claims 12, 20, 23, 28-34, 47, 52, 53, 57-63, 80-82, 90-128, 131-160, 163-183, 186-203, 206-228, and 231-247 have been allowed. Claims 35, 36, 129, 130, 161, 162, 184, 185, 204, 205, 229, and 230 have been rejected. Claims 129, 130, 161, 162, 184, 185, 204, 205, 229, and 230 have been amended and claims 35 and 36 have been canceled without prejudice for the purpose of expediting the patent application process in a manner consistent with the goals of the Patent Office pursuant to 65 Fed. Reg. 54603 (September 8, 2000), even though the Applicants believe that the previously pending claims were allowable.

Support for the amendments to the claims can be found throughout the previously pending claims, the drawings and the specification.

No new matter is believed to have been added. Consideration of the pending application is respectfully requested.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claim 35 and 36 have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Accordingly, claims 35 and 36 have been canceled by this amendment. Thus, the rejection of claims 35 and 36 is believed to be moot.

Rejections Under 35 U.S.C. § 102

Claims 129, 130, 161, 162, 184, 185, 204, 205, 229 and 230 are rejected under 35 U.S.C. § 102 as being anticipated by Matsui et al (US Patent No. 6,408,045). The Examiner contends that in Figure 1, Matsui et al shows "a stage (mail stage 5), a stage mover assembly (linear motors 51 and 54) for moving the stage with two degrees of freedom, and a reaction mass assembly (Y mass members 23 and X mass members 27) adapted to reduce the reaction forces in two degrees of freedom that are transferred to the stage base. The two degrees of freedom in which the stage is driven and the reaction forces are reduced are along an X axis and a Y axis. The reaction mass assembly includes an X component made up of a first X reaction mass and a second X reaction mass, and moves along the X axis on X mass guides 28 as a result of the stage being

driven along the X axis. When the stage is driven along the Y axis a Y component of the reaction mass system, including a first Y reaction mass and a second Y reaction mass, is also moved along the Y axis to cancel reaction forces in the Y direction. The C component of the reaction mass assembly is also carried along the Y axis as the stage is driven in the Y direction. The X component includes a reaction mass mover assembly, which is not shown in the drawing, for adjusting the position of the reaction mass assembly relative to the stage base along the X axis (col. 5 lines 59-67). The Y component likewise includes a reaction mass mover assembly for adjusting the position of the reaction mass assembly (air cylinder 35 and pistons 31 and 33)."

The Examiner also contends that these "claims are considered to be product-by-process claims and therefore, although a process is defined by these claims, the product of this process must shown to be structurally distinguishable from the product of a prior art process." The Examiner also states that since "the stage apparatus of Matsui is intended to cancel out reaction forces in a lithography apparatus during the exposure of semiconductor wafers (see col. 1 lines 6-13), the devices manufactured using the stage apparatus and method of Matsui would be identical to the devices and wafers of these claims." Additionally, the applicants disagree that the rejected claims are product-by-process claims.

The applicants respectfully disagree with the rationale of the Patent Office. For example, the applicants do not believe that "devices manufactured using the stage apparatus and method of Matsui would be identical to the devices and wafers of" the rejected claims. Further, the applicants disagree with the Patent Office that the rejected claims are "product by process" claims.

However, the applicants have amended claims 129, 130, 161, 162, 184, 185, 204, 205, 229 and 230 for the purpose of expediting the patent application process even though the Applicants believe that the previously pending claims were allowable. As amended, claims 129, 130, 161, 162, 184, 185, 204, 205, 229 and 230 are not believed to be "product by process" claims. Thus, the rejection of these claims is believed to have been overcome.

Allowabl Subject Matter

Claims 12, 20, 23, 28-34, 47, 52, 53, 57-63, 80-82, 90-128, 131-160, 163-183, 186-203, 206-228, and 231-247 are allowed.

Remaining References

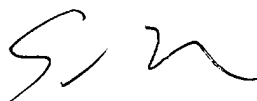
The references cited by the Examiner, but not relied on for the rejection of claims, have been noted. The remaining references are no more pertinent than the applied references, therefore, a detailed discussion of these remaining references is deemed unnecessary for a full and complete response to the Office Action.

Conclusion

In conclusion, applicants respectfully asserts that claims 12, 20, 23, 28-34, 47, 52, 53, 57-63, 80-82, and 90-247 are patentable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 858-456-1951 for any reason that would advance the instant application to issue.

Dated this 25th day of July, 2003.

Respectfully submitted,



STEVEN G. ROEDER
Attorney for Applicants
Registration No. 37,227

THE LAW OFFICE OF STEVEN G. ROEDER
5560 Chelsea Avenue
La Jolla, California 92037
Telephone: (858) 456-1951